SLS 10RS-872 ENGROSSED

Regular Session, 2010

SENATE BILL NO. 600

BY SENATOR MOUNT

MUNICIPALITIES. Allows any municipality to prescribe civil fines for the violation of public health, housing, fire code, environmental, and historic district ordinances in the municipality. (8/15/10)

1 AN ACT

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To amend and reenact R.S. 13:2575(A), relative to public health, housing, and environmental violations; to authorize all municipalities to prescribe civil penalties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 13:2575(A) is hereby amended and reenacted to read as follows: \$2575. Public health, housing, and environmental violations; administrative adjudication; procedure; appeal; penalties

A. Any municipality or parish having a population of four hundred twenty-five thousand or more may prescribe civil fines for violation of public health, housing, fire code, environmental, and historic district ordinances in the municipality or parish by owners of immovable property, their agents, tenants, or representatives pursuant to the procedures for administrative adjudication provided in this Chapter. For the purposes of this Chapter, "housing violations" shall encompass only those conditions in privately owned structures which are determined to constitute a threat or danger to the public health, safety or welfare and/or to the environment, or a historic district. In municipalities with a population of seventy thousand or more,

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Coding: Words which are struck through are deletions from existing law; words in **boldface type and underscored** are additions.

the term "housing violation" as used in this Chapter shall also encompass

building codes, zoning, vegetation, and nuisance ordinances. However, nothing

in this Section shall be construed to affect activities which occur on the premises of

manufacturing facilities and which are regulated by Title 30 of the Louisiana Revised

Statutes of 1950.

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The original instrument was prepared by James Benton. The following digest, which does not constitute a part of the legislative instrument, was prepared by Greg Waddell.

DIGEST

Mount (SB 600)

<u>Present law</u> provides that any municipality or parish having a population of 425,000 or more may prescribe civil fines for violation of public health, housing, fire code, environmental, and historic district ordinances in the municipality or parish by owners of immovable property, their agents, tenants, or representatives pursuant to the procedures for administrative adjudication provided in <u>present law</u>.

<u>Proposed law</u> retains <u>present law</u> and adds the right to prescribe civil fines to any municipality.

<u>Proposed law</u> defines "housing violation" for municipalities having a population of more than seventy thousand persons as including building codes, zoning, vegetation, and nuisance ordinances.

Effective August 15, 2010.

(Amends R.S.13:2575(A))

Summary of Amendments Adopted by Senate

<u>Committee Amendments Proposed by Senate Committee on Health and Welfare to the original bill.</u>

- 1. Removes the population threshold for a municipality or parish to prescribe civil fines for the violation of certain ordinances.
- 2. Defines "housing violation" for municipalities with a population of seventy thousand or more.